

Appendix F. Overview of Child Abuse Prevention and Treatment Act (CAPTA), reporting of substance-exposed pregnancies, and sample script for providers

In North Carolina, substance use during pregnancy is not reportable to the Department of Social Services.

The Keeping Children and Families Safe Act (2003) Child Abuse Prevention and Treatment Act (CAPTA) was reauthorized in 2003. This federal law requires states to create policies and procedures to address the needs of infants born and identified as being affected by illegal substance use or withdrawal symptoms resulting from prenatal drug exposure. This includes appropriate referrals to child protection service systems and for other appropriate services.

CAPTA includes a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition of such infants. North Carolina's policy and practice is consistent with this requirement, and includes prenatal alcohol exposure as cause to refer to child protective services.

Local Departments of Social Services (DSS) accept referrals for infants reported to have been exposed to substances prenatally, at the time of birth. When a referral is made by the health care provider, DSS utilizes a structured intake tool that includes the question, "Has the parent's alcohol/drug use resulted in a positive screening at the child's birth?". DSS's role is to assess the safety of the infant in the current family and living situation. The DSS assessment will indicate what response is necessary for the health and safety of the infant.

Sources:

US Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, Office on Child Abuse and Neglect. "The Child Abuse Treatment and Prevention Act". June 2003.

North Carolina Department of Health and Human Services, Division of Social Services, Family Services Manual, Volume I: Children's Services, Chapter VIII: Child Protective Services. 19-65.